FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.398 OF 2005
WITH
CRIMINAL APPLICATION NO.58 OF 2006
WITH
CRIMINAL REVISION APPLICATION NO.34 OF 2005

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.T.R.Yadav holding for Mr. S.V.Marwadi for the Appellant.

Mrs. G.P. Mulekar, APP. for the State.

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Mr. Ganesh Bhujbal holding for Mr. Prakash Naik for the Applicant.

Mrs. G.P. Mulekar, APP. for the State.

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Mr. Ganesh Bhujbal holding for Mr. Prakash Naik for the Applicant.

Mr.T.R.Yadav holding for Mr. S.V.Marwadi for the Respondent No.1.

Nrs. G.P. Mulekar, APP. for the State.

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CORAM : R.S. MOHITE,J.
DATED : 10/4/2006.

P.C.

1. This is an appeal against the acquittal. Parties have settled the matter. The appellant Mr.Amarnath

Kapoor has filed reply in Criminal Application No.58/2006 in Cri. Revision Application No.34/2005 stating that the parties have settled the dispute and he would like to withdraw the Criminal Application No.1086/2004 filed in this court. That Criminal application was for grant of leave to file the present appeal and leave was granted. In the circumstances, Advocate for the appellant seeks leave to withdraw the appeal. Appeal is therefore, dismissed as withdrawn.

Cri. Application No.58/2006

1. This is an application for compounding the matter. The parties have settled their dispute. Reply is filed today by the original respondent who is the complainant stating that he has received the agreed amount and three post dated cheques of the balance amount of Rs.1,50,000/- to secure the payment. He has given no objection for passing appropriate order. In the

circumstances, conviction for the offence U/s. 138 of the Negotiable Instruments Act is allowed to be compounded and accordingly the present applicant is acquitted for the offence punishable U/s.138 of the Negotiable Instruments Act.

2. Affidavit in reply is taken on record.

Cri. Revision Application No.34/2005

1. In view of the order passed in Criminal Application No.58/2006, criminal revision does not survive and the same is disposed off.

(R. S. MOHITE,J.)